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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	2
Plaintiff,	Case No. 2:17-mj-00671-CWH
vs.	ORDER
TERRILL SMITH,)
Defendant.)))

Presently before the court is the government's Motion to Strike Defendant Smith's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 7), filed on June 29, 2017. Defendant did not file a response.

Defendant appeared without restraints for his initial appearance in a Rule 5(c)(3) proceeding on June 28, 2017, and again for a detention hearing on June 29, 2017. (Mins. of Proceedings (ECF No. 1); Mins. of Proceedings (ECF No. 9).) Defendant was released on a personal recognizance bond and was ordered to appear before United States Magistrate Judge Boyle at the United States District Court for the District of Arizona. (Mins. of Proceedings (ECF No. 9).) Given that Defendant will not appear for future hearings in this district, the court will deny the government's motion as moot.

IT IS THEREFORE ORDERED that the government's Motion to Strike Defendant Smith's Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 7) is DENIED as moot.

DATED: November 2, 2017

C.W. Hoffman Jr/ United States Magistrate Judge